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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,544	11/09/2001	Petter Karlsson	040080-164	5848

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EXAMINER

WINDMULLER, JOHN

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 04/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/986,544

Applicant(s)

KARLSSON ET AL.

Examiner

John Windmuller

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/16/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hakoun et al. in view of Frederick Jr. and Taitler. Hakoun et al. disclose the invention substantially as claimed including a motor (Fig. 1, 12, 13; col. 3, lines 54, 55, 64-66). But Hakoun et al. do not disclose a detector that is a microphone to detect the completion of the cut to effect the stop of the workpiece cutting movement. However, Frederick Jr. teaches a detector that is a microphone to detect details of the cutting and adjust the velocity of the workpiece cutting movement (col. 2, lines 53-59; col. 3, lines 6-7; col. 3, lines 26-31; col. 5, lines 46-52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the device of Hakoun et al. with a detector that is a microphone to detect details of the cutting and adjust the velocity of the workpiece cutting movement as taught by Frederick Jr. for better automated cutting.

Furthermore, Taitler teaches a detector to detect the completion of the cut to effect the stop of the workpiece cutting movement (col. 7, lines 49-57). It would have been obvious to one of ordinary skill in the art at the time the invention was made to

provide the device of Hakoun et al. with a detector to detect the completion of the cut to effect the stop of the workpiece cutting movement as taught by Taitler for better automated cutting.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hakoun et al. in view of Frederick Jr. and Taitler as applied to claims 1, 3, 4 above, and further in view of Bando '801. The modified device of Hakoun et al. discloses the invention as claimed except a linear motor. However, Bando '801 teaches a linear motor (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the modified device of Hakoun et al. with a linear motor as taught by Bando '801 for improved motion control.

Response to Arguments

4. Applicant's arguments, see the Request for Reconsideration filed 12/16/03, with respect to the rejection(s) of claim(s) 1-4 under 35 USC 103(a) have been fully considered. The rejection has been withdrawn because the Examiner agrees with Applicant's assertion on page 2, third paragraph, that Frederick does not disclose stopping the cutting movement based on the microphone detector. However, upon further consideration, a new ground(s) of rejection is made in view of Taitler, which discloses stopping the workpiece cutting movement upon detection of completion of the cut.

Regarding Applicant's arguments on page 3, second and third paragraphs, claim 1 states "the motor being controlled by a control unit to start a cutting movement in

response to a start signal to be generated when the fiber is located in the fiber cutter.”

Since the claim does not specify how the start signal is to be generated, the claim reads on any well known starting procedure, such as the operator flipping a switch.

Conclusion


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yoshikuni et al. (claim 1d, indenting of glass stops when cutting is completed).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Windmuller whose telephone number is 703 305-4988. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on 703 308-1082. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JW


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